

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JERRY LAMAR WHITLOCK, #04182

PETITIONER

VS.

CIVIL ACTION NO. 3:12CV186TSL-JCG

RONALD KING

RESPONDENT

ORDER

This cause came on this date to be heard upon the report and recommendation of United States Magistrate Judge John C. Gargiulo, and the court, having fully reviewed the report and recommendation entered in this cause on January 26, 2015, and being duly advised in the premises, finds that said report and recommendation should be adopted as the opinion of this court.

IT IS, THEREFORE, ORDERED that the report and recommendation of United States Magistrate Judge John C. Gargiulo entered on January 26, 2015, be, and the same is hereby adopted as the finding of this court, and the petition for writ of habeas corpus is hereby dismissed with prejudice.

It is further ordered that a certificate of appealability should not issue. With regard to the procedurally barred claims, the applicant has failed to show that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." Slack v. McDaniel, 529 U.S. 473, 484, 120 S.

Ct. 1595, 146 L. Ed. 2d 542 (2000). With regard to the exhausted claims, petitioner has failed to make a substantial showing of the denial of a constitutional right. Id.

A separate judgment will be entered herein in accordance with this order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 17th day of February, 2015.

/s/ Tom S. Lee
UNITED STATES DISTRICT JUDGE